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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,351	01/15/2002	David D. Goodman	1796.1006C2	9860
21171	7590	11/17/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SINGH, RAMNANDAN P	
			ART UNIT	PAPER NUMBER
			2646	

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/053,351

Applicant(s)

GOODMAN, DAVID D.

Examiner

Ramnandan Singh

Art Unit

2646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jul. 11, 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 77-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 77-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on Jul. 11, 2005 have been considered but are moot in view of the new ground(s) of rejection.

Status of Claims

2. Claims 1-76 are cancelled.
New claims 77-82 are added.
Claims 77-82 are pending.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 82 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 82 recites the limitation "said field of bits is a field of 48 digits" in line 1. The disclosure does not support "a field of 48 digits".

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 77-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rybicki et al [US 5,742,527] in view of Doyle [US 5,856,980].

Regarding claim 77, Rybicki et al teach a method of communicating information across a plurality of paths shown in Fig. 3, wherein each path of the plurality of paths begins near a first point (40) and terminates near a second point (32), and each of the plurality of paths is a 2-wire conductive path [Fig. 3], the method comprising:

converting (i.e. splitting (36)) a first stream of digital data into a plurality of sub-streams [Fig. 3; col. 5, lines 8-11], wherein

(a) each sub-stream of the plurality of sub-streams is a stream of digital data [Fig. 12];

(b) the number of sub-streams is equal to the number of path in the plurality of paths for ADSL transceiver (34) and ISDN transceiver (38) [Fig. 3];

(c) the information content of each sub-stream in the plurality of sub-streams includes a different part of the information (i.e. voice, data and video) in the first stream of digital data [Fig. 3];

(d) transmitting and receiving signals [Fig. 3], recovering and creating a first recreated stream of digital data (i.e. combining sub-streams into a composite signal)

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using splitter comprising a band-pass filter[Fig. 4] wherein the band-pass filter is equivalent to a combination of a low-pass filter and a high-pass filter meeting the requirements set out in (a) and (b); and generating sound using a speaker of a telephone [Figs. 3-19; col. 4, line 52 to col. 6, line 5].

Rybicki et al do not teach expressly encoding each sub-stream in the plurality of streams into a different one of a plurality of downstream signals and providing a field of bits identifying an electronic device.

Doyle teaches a method of communicating information across a plurality of paths shown in Figs. 2-8, wherein each path of the plurality of paths begins near a first point (52) and terminates near a second point (54), and each of the plurality of paths is a 2-wire conductive path [Fig. 2], the method comprising:

converting (i.e. splitting (92)) a first stream of digital data into a plurality of sub-streams [Fig. 3];

encoding each sub-stream in the plurality of streams into a different one of a plurality of downstream signals [Figs. 2-4]; and

providing a field of bits identifying an electronic device [col. 6, line 52 to col. 8, line 46; col. 11, line 59 to col. 13, line 65]. It is nevertheless a teaching to one of ordinary skill in the art to apply the same to other applications.

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At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the encoding/decoding method of Doyle with Rybicki et al in order to increase transmission bit rate over a communication medium [Doyle; col. 2; lines 38-44].

Regarding claim 78, the limitations are shown above.

Regarding claim 79, Rybicki et al teach the splitters/combiners (30 and 44) to perform recovering and creating [Fig. 3].

Regarding claim 80, Doyle teaches encoding the first repeated stream of digital data into an analog signal using Manchester coding [Figs. 3-4; col. 1, lines 37-49].

Regarding claim 81, Doyle teaches encoding the first recreated stream of digital data according to the 100BaseT standard [col. 1, lines 37-49].

Regarding claim 82, although Doyle does not teach expressly using a field of 48 digits to identify an electronic device, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use any size of a field of digits in order to accommodate the device identifier subject to circuit, system and design constraints.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramnandan Singh
Examiner
Art Unit 2646



SINH TRAN
SUPERVISORY PATENT EXAMINER